

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Financial Services of America v Arnold F Farwell**

Docket No. **282882**

L.C. No. **06-001498-CK**

Christopher M. Murray, Chief Judge Pro Tem, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The claim of appeal filed January 2, 2008, is DISMISSED for lack of jurisdiction. The Court concludes after review of the lower court record that the February 20, 2007, order that established the terms of the settlement between the parties and released the parties was the final order under MCR 7.202(6)(a)(i) because it was the first order establishing the rights and liabilities of the parties. Defendant clearly treated it as such by making two payments in conformity with the settlement. The January 8, 2008, consent judgment cannot support this Court's jurisdiction. That order was entered after the claim of appeal was filed. And a party cannot appeal a consent judgment or an order that essentially confirms the terms of a consent judgment. See *Dora v Lesinski*, 351 Mich 579, 582-583 (1958).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

APR 16 2008

Date

Sandra Schultz Mengel
Chief Clerk